

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

RENE MARTINEZ GONZALEZ

DEBTOR(S)

CASE NUM.: 10-11163 BKT

CHAPTER 13 (ASSET CASE)

**DEBTOR'S OBJECTION TO CLAIM #3-1
FILED BY PORTFOLIO RECOVERY ASSOCIATES, LLC**

TO THE HONORABLE COURT:

COMES NOW debtor represented through its undersigned counsel and respectfully objects proof of claim number 3-1 filed by Portfolio Recovery Associates, LLC in the amount of \$4,764.33 and assigns the following reasons for the same:

1. The proof of claim does not comply with Federal Rule of Bankruptcy Procedure 3001(c) because on an alleged auto deficiency, but no supporting documents are attached to the proof of claim.
2. The proof of claim filed fails to provide account transaction summary or other information that would show how the total amount claimed has been calculated. An itemization of the principal balance of the debt, interest and other charges (if any) is not attached to the proof of claim, as required by the instructions to Official Form 10.
3. The only document attached to the claim form is a "Bill of Sale and Assignment of Assets", which fails to provide any information related to the alleged debt.
4. Debtor has not listed the claim, and does not acknowledge it.

5. Portfolio Recovery Associates, LLC is a debt buyer that has filed an undocumented, unsubstantiated proof of claims. Filed its claims, in violation of Federal Rule of Bankruptcy Procedure 3001(c).

WHEREFORE debtor respectfully requests of this Honorable Court to disallow the proof of claim filed by Portfolio Recovery Associates, LLC., and order such other and further relief as is just and proper.

NOTICE: Within thirty (30) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the objection will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the court, the interest of justice requires otherwise. If you file a timely response, the court may - in its discretion - schedule a hearing.

In San Juan, Puerto Rico, this 15th day of April 2011.

RESPECTFULLY SUBMITTED.

/s/ Marilyn Valdes Ortega

MARILYN VALDES ORTEGA

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I HEREBY CERTIFY: That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

10-11163-BKT13 Notice will be electronically mailed to:

MONSITA LECAROS ARRIBAS
ustpreion21.hr.ecf@usdoj.gov

ALEJANDRO OLIVERAS RIVERA
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MARILYN VALDES ORTEGA on behalf of Debtor RENE MARTINEZ GONZALEZ
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I HEREBY CERTIFY: That I have mailed by regular mail to all creditors listed.

10-11163-BKT13 Notice will not be electronically mailed to:

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